

STATE OF TENNESSEE

Office of the Attorney General



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EXECUTIVE SECRETARY

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Reply to:
Consumer Advocate and Protection Division
Post Office Box 20207
Nashville, TN 37202-0207
facsimile: (615) 532-2910

January 15, 2002

David Waddell, Executive Secretary
Tennessee Regulatory Authority
360 James Robertson Parkway
Nashville, Tennessee 37238

Re: Complaint of Access Integrated, Inc. Against BellSouth Telecommunications, Inc.

Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.
Docket 01-00868

Dear Mr. Waddell:

Attached to this letter are fourteen copies of the Motion to Take Discovery and First
Discovery Request of the Consumer Advocate. Copies have been served on counsel of record.

Very truly yours,

A handwritten signature in cursive script that reads "Chris Allen".

Chris Allen
Assistant Attorney General

Attachment

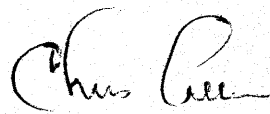
IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE: COMPLAINT OF)	
XO TENNESSEE, INC. AGAINST)	
BELLSOUTH)	
TELECOMMUNICATIONS, INC.)	
)	DOCKET NO. 01-00868
And)	
)	
COMPLAINT OF ACCESS)	
INTEGRATED NETWORK, INC.)	
AGAINST BELLSOUTH)	
TELECOMMUNICATIONS, INC.)	

MOTION TO TAKE DISCOVERY

The Consumer Advocate and Protection Division, (hereinafter "Consumer Advocate") petitions the Tennessee Regulatory Authority, pursuant to TRA Rule 1220-1-2-.11 to order BellSouth Telecommunications, Inc. ("BellSouth") to respond to the following interrogatories within ten (10) days. Petitioner seeks an expedited discovery schedule based on the fact that the hearing in this matter is scheduled for February 4, 2002. Petitioner's proposed discovery is attached.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Chris Allen".

Chris Allen, 13696
Assistant Attorney General
Consumer Advocate and Protection
Division
John Sevier Building, 3rd Floor
425 5th Avenue North
Nashville, Tennessee 37243-0500
(615)-532-2590

IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE: COMPLAINT OF)	
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AGAINST BELLSOUTH)	
TELECOMMUNICATIONS, INC.)	

FIRST DISCOVERY REQUEST OF THE CONSUMER ADVOCATE

The Consumer Advocate and Protection Division, (hereinafter "Consumer Advocate") requests that BellSouth Telecommunications, Inc. ("BellSouth") answer each of the following interrogatories. These interrogatories are continuing in nature and Rule 26 of the Tennessee Rules of Civil Procedure requires you to seasonably supplement your responses to these interrogatories.

INTERROGATORIES

1. Please provide the legal justification for why it is believed that the awarding of bonus

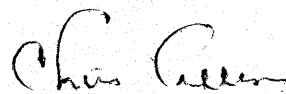
select points for regulated service on an invitation only basis and allowing the business customer to redeem those points for up to three free months of service or other valuable products or services is not illegal. Please include in the response a complete recitation of all the facts and law that are relied on in reaching the conclusion that this aspect of the BellSouth Business Select program as carried out is legal.

2. In addition to the 2001 Key Business Discount Program, in Tennessee in what other offerings by BellSouth were bonus select points offered, including the name of the offering, the market in which the offer was made, the exact dates the offering was in effect, the number of bonus select points offered, what the points were offered for, and the number of small business customers that enrolled in the offering thereby receiving bonus select points.
3. With regard to the 2001 Key Business Discount Program and the associated award of bonus points which may be redeemed for up to three free months of service, what are the exact dates the offer was outstanding.
4. With regard to the WinBack offer in Memphis in 2001 was that part of the 2000 Key Business Discount Program. Regardless, please provide the official name of the WinBack program, the exact dates of that program, the number of bonus select points offered and the number of small business customers who enrolled in the program to take advantage of the associated bonus points.
5. If different from the program identified in #4, please describe the 2000 Key Business Discount Program, including the exact dates of that program, the number of bonus select points offered, the eligibility guidelines for awarding the bonus select points, and the

number of small business customers who enrolled in the program to take advantage of the associated bonus select points.

6. Please identify any other award of bonus select points in Tennessee, including the exact dates the offer was outstanding, identify the tariffed program to which it related, the number of small business customers who received the bonus select points, the eligibility guidelines for awarding the bonus select points, and the number of bonus select points offered.
7. What were the criteria to determine who was eligible the 2001 Key Business Discount Program. Was it offered only to former small business customers in competitive markets.
8. Did BellSouth extend to all existing members of the BellSouth Business Select program in the same wire center the same number of bonus select points as were awarded to a small business customer pursuant to, for example, the 2001 Key Business Discount Program. Moreover, was there any attempt to notify an existing customer and apprise it of the offer of bonus select points. If so, please describe the method and how such existing small business customers were identified.
9. Please provide the legal justification for why the awarding of select points related to the bills of services under tariffed programs should not be included in the tariff as the awarding of these points amounts to a rebate on these services. Please include in the response a complete recitation of all the facts and law that are relied on in reaching the conclusion that this aspect of the BellSouth Business Select program as carried out is legal.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Chris Allen".

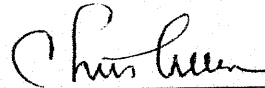
Chris Allen, 13696
Assistant Attorney General
Consumer Advocate and Protection Division
John Sevier Building, 3rd Floor
425 5th Avenue North
Nashville, Tennessee 37243-0500
(615)-532-2590

Certificate of Service

I hereby certify that a true and correct copy of the First Discovery Request of the Consumer Advocate was served on parties below via facsimile on January 15, 2002.

Guy Hicks, Esquire
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300

Henry Walker, Esquire
Boult, Cummings, Conners & Berry, PLC
P.O. Box 198062
Nashville, Tennessee 37219



Chris Allen
Assistant Attorney General

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